

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
Northern Division**

**UNITED STATES OF AMERICA**

**PLAINTIFF**

**V.**

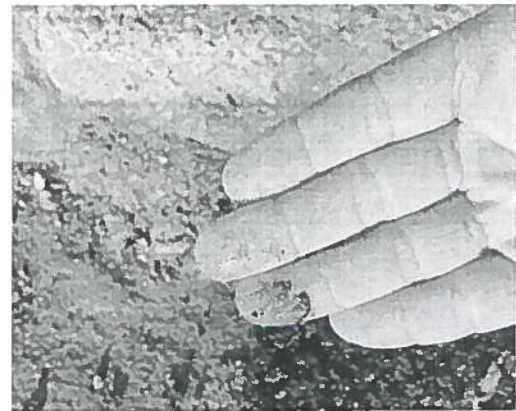
**CIVIL ACTION NO. 3:12-cv-000790-HTW-LGI**

**THE CITY OF JACKSON, MISSISSIPPI**

**DEFENDANT**

**DECLARATION OF DAVID VONDENBERGER**

1. My name is David Vondenberger. I am over twenty-one years old and have personal knowledge of the facts stated below.
2. I am a Senior Vice President with Silver Tree Residential, LLC, a company which performs property management services for Lakeland Seniors, LLC ("Lakeland Seniors"). I am authorized to execute this declaration for Lakeland Seniors.
3. I have participated in Lakeland Seniors' investigation of the damage to its property from water and sewer water coming from a property to the east, and have personally observed the excess, leaking water. During one such observation, there was enough water flow to see the water migrating onto Lakeland Seniors' property from the property immediately to the east, specifically from the area surrounding a hydrant and water meter.
4. I visited the property on August 16, 2023. As of that date, the areas around a hydrant and water meter were still damp, both visibly and to the touch. I am reliably informed that there had been no rain at the property for two weeks before my visit, leading me to conclude that the leak from these sources is ongoing.
5. The following photos are a true and correct representation of the area around the hydrant and water meter on the day of my visit:



6. Lakeland Seniors has paid to have the excess, leaking water professionally tested and analyzed.
7. Samples collected in May 2023 tested positive for bacteria commonly found in human sewage, leading me to conclude that there is also an ongoing sewer leak. I am not aware of any repairs to this leak made by the City of Jackson or Jxn Water, Inc.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 3, 2023.



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David Vondenberger